

REMARKS

The following remarks are responsive to the Final Office Action dated July 9, 2010.

Interview Summary

Applicant would like to thank the Examiner for discussing the Final Office Action via telephonic interview on October 13, 2010. Examiner Richardson and Applicant's representatives, Mr. Kent Sieffert and Mr. Matthew Gage, participated in the interview. During the telephonic interview, Applicant's representatives discussed the rejection of claim 11 as presented in the Final Office Action. No agreement was reached as to the allowance of the claims in their present form during this interview.

Applicant would also like to thank the Examiner for discussing the Final Office Action again via informal telephonic interview on October 28, 2010. Examiner Richardson and Applicant's representative, Mr. Matthew Gage, participated in this interview. During the telephonic interview, the Examiner indicated that some clarifying amendments to claim 11 would put this claim in condition for allowance. Applicant agreed to make these amendments. Agreement was therefore reached with regard to the allowance of claim 11 in its amended form as presented above.

Claim Rejection Under 35 U.S.C. § 103

In the Final Office Action, the Examiner rejected claims 1, 8, 11-13, 15, 18-22, 26, 27, 30, 33, 39, and 40 under 35 U.S.C. 103(a) as being unpatentable over Pesce et al. (U.S. Patent No. 7,328,278), Sankaran et al. (U.S. Patent Publication No. 2003/0231587) and Gaddis et al. (U.S. Patent No. 7,554,930). Applicant respectfully traverses the rejection to the extent such rejection applies to the claims as amended. The applied references fail to disclose or suggest the techniques defined by Applicant's claims as amended, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed techniques.

As an initial matter, Applicant has cancelled claims 1, 8, 19-20, 30 and 33 that were previously pending when this rejection was presented, thereby rendering the rejection against these claim moot.

With regard to the rejection of independent claim 11, Applicant has amended claim 11 in the manner suggested by the Examiner during the above noted telephonic interview on October 28, 2010 so as to put this claim in condition for allowance over this rejection. As a result, prompt withdrawal of this rejection and an indication of allowance are requested with respect to claim 11.

Applicant has also amended remaining independent claims 18 and 27 to recite similar limitations to those rejected by currently amended claim 11. Consequently, each of claims 18 and 27 are also in condition for allowance and prompt withdrawal of the rejection against these claims and an indication of allowance are requested.

Considering that dependent claims 6, 12, 13, 15, 21, 26, 39 and 40 depend from independent claims 11, 18 and 27 that are in condition for allowance, these dependent claims are also in condition for allowance. Consequently, prompt withdrawal of this rejection and an indication of allowance are requested with respect to claim 6, 12, 13, 15, 21, 26, 39 and 40.

CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date: _____ October 29, 2010 _____

By: /Matthew K. Gage/
Name: Matthew K. Gage, Reg. No.: 63,059

SHUMAKER & SIEFFERT, P.A.
1625 Radio Drive, Suite 300
Woodbury, Minnesota 55125
Telephone: 651.286.8367
Facsimile: 651.735.1102